

**PRETRIAL CONFERENCE REPORT**

Mass.R.Crim.P. 11(a)(2)(A)

DOCKET NO(s).

**Trial Court of Massachusetts  
District Court Department**Commonwealth vs. \_\_\_\_\_  
NAME OF DEFENDANT

COURT DIVISION

*(To be completed and signed by both parties and submitted to the court at the Pretrial Hearing unless defendant tenders a plea or admission)*

A pretrial conference between the parties was conducted on \_\_\_\_\_, 20 \_\_\_\_\_, with the following results:

**I. DISCOVERY**

1. **AUTOMATIC DISCOVERY FOR DEFENSE.** Pursuant to Mass.R.Crim.P. 14(a)(1)(A), the prosecution has disclosed to the defense and the defense has been permitted to discover, inspect and copy:

- ☐ **[Completed]** all items and information subject to automatic discovery.
- ☐ **[Not Completed]** all items and information subject to automatic discovery, *except the following:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. **AUTOMATIC RECIPROCAL DISCOVERY FOR PROSECUTION.** Pursuant to Mass.R.Crim.P. 14(a)(1)(B), the defense has disclosed to the prosecution and the prosecution has been permitted to discover, inspect and copy:

- ☐ **[Completed]** all items and information subject to automatic reciprocal discovery.
- ☐ **[Not Completed]** all items and information subject to automatic reciprocal discovery, *except the following:*

\_\_\_\_\_  
\_\_\_\_\_

- ☐ **Not yet applicable** because the prosecution has not yet completed all automatic or ordered discovery.

3. **UNRESOLVED DISCOVERY ISSUES.** With respect to any discovery to which the parties are or may be entitled, automatically or by court order, pursuant to Mass.R.Crim.P. 14 and which has not yet been provided:

- ☐ The parties agree as follows *(list items and agreed upon date of delivery, inspection, etc.)*:

\_\_\_\_\_  
\_\_\_\_\_

- ☐ The defense is filing herewith the following motion(s) to compel discovery:

\_\_\_\_\_  
\_\_\_\_\_

- ☐ The prosecution is filing herewith the following motion(s) to compel discovery:

\_\_\_\_\_

4. **CERTIFICATE OF COMPLIANCE.** The undersigned acknowledge that each party must file a Certificate of Compliance when the party has provided all discovery required by rule, agreement or court order, pursuant to Mass.R.Crim.P. 14(a)(3).

5. **SUBSEQUENTLY DISCOVERED MATERIAL.** The undersigned acknowledge their continuing duties regarding discovery pursuant to Mass.R.Crim.P. 14(a)(4).

**II. OTHER PRETRIAL MATTERS**

6. **NON-DISCOVERY MOTIONS.** In addition to any discovery-related motions listed above, the following motions will be filed on matters upon which the parties have *not* reached an agreement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **NOTICE OF ALIBI** (*Mass.R.Crim.P. 14[b][1]*). The Commonwealth hereby notifies the defendant that the time, date, and place of the alleged offense was as follows:

\_\_\_\_\_.

Defendant agrees, if an alibi defense will be offered, to notify the Commonwealth in writing on or before \_\_\_\_\_, 20\_\_ of the place(s) at which the defendant claims to have been at the time of the alleged offense and the names and addresses of the defendant's alibi witnesses, or may here so state:

\_\_\_\_\_.

The Commonwealth agrees to notify the defendant in writing within 7 days of service of the defendant's notice of alibi, of the names and addresses of witnesses on whom it intends to rely to establish defendant's presence at the scene of the alleged offense or to rebut any of the defendant's alibi witnesses. Both parties acknowledge their continuing duty under Mass.R.Crim.P. 14(b)(1)(C) to disclose additional alibi witnesses.

8. **NOTICE OF OTHER DEFENSES** (*Mass.R.Crim.P. 14[b][2], [3]*). If defendant intends to rely upon the defense of lack of criminal responsibility or upon a defense based upon a license, claim of authority or ownership, or exemption, defendant must notify the Commonwealth within 21 days of the assignment of a trial date, or may here so state:

9. **STIPULATIONS OF FACT:** \_\_\_\_\_

10. **CASE INFORMATION** (*not binding*):

Estimated length of trial: \_\_\_\_\_

No. of Witnesses: Prosecution \_\_\_\_\_ Defense \_\_\_\_\_

Case likely to proceed: ☐ With Jury. ☐ Jury Waived.

11. **CERTIFICATION.** The undersigned certify that the information set forth above is accurate and complete as of the date of this Pretrial Conference Report. Pursuant to Mass. R. Crim. P. 11(a)(2)(A), any agreement between the parties set forth herein shall be binding and shall control the subsequent course of the proceedings.

\_\_\_\_\_  
☐ Assistant District Attorney

\_\_\_\_\_  
☐ Defense Counsel

☐ Police Prosecutor

☐ Pro Se Defendant

\_\_\_\_\_  
Defendant's Signature (*required if waiver of constitutional right or stipulation of material fact set forth herein*)

### III. COURT ORDERS

(*To be completed by Judge.*) After hearing, the Court orders as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Justice

\_\_\_\_\_  
Date